



State of Arizona

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Arizona Files Suit Against Federal Government Over Failure to Secure the Border, Protect Our Citizens

Gov. Brewer: "We did not want this fight. We did not start this fight. But now that we're in it, we will not rest until our border is secured."

PHOENIX — Arizona Governor Jan Brewer and Attorney General Tom Horne today filed suit against the federal government due to its constitutional failure to secure the border and protect Arizona citizens against the negative effects of illegal immigration.

With today's filing, Arizona both answered the merits of the Obama administration's lawsuit regarding SB1070 and submitted a counterclaim against the federal government.

"Our message for the federal government is simple: Use federal resources to combat the cartels that are breaking federal law," said Governor Brewer. "Don't attack Arizona, which is helping to enforce federal law."

Arizona's counterclaim is based on five simple points. The federal government has: failed to gain "operational control of the border," as required under the Secure Fence Act of 2006; failed to enforce multiple federal immigration laws; failed to protect Arizona from economic harms and violence associated with illegal immigration, as mandated by the Constitution; been negligent in not reimbursing Arizona for more than \$760 million in combined costs for the incarceration of illegal aliens under the State Criminal Alien Assistance Program; and has sought to pre-empt Arizona from its constitutional right and duty to protect the health, safety and welfare of its own citizens.

"While control of the border is a federal responsibility, illegal aliens who successfully cross the border and commit crime in Arizona become an Arizona responsibility," said Attorney General Horne. "By not doing its job, and using its alleged 'pre-emption' rights to stop Arizona from performing its law enforcement obligations, the United States is violating Arizona's 10th Amendment rights."

Despite recent federal claims that our nation's southern border is more secure than ever, residents of the region remain victims of drug and human smuggling, as well as the ever-present threat of cartel violence spilling over from the south.

"Our citizens have lived with this dark cloud for too long," said Governor Brewer. "It's time for the federal government to do its job and secure the border."

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